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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

18 FEB 1993

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IN REPLY REFER TO:

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable John R. Kasich
House of Representatives
1133 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Kasich:

This is in reply to your letter of February 3, 1993, in which you inquired on behalf of your constituent, Donald E. Swinehart, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Swinehart is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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Honorable John R. Kasich

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,

Ralph A. Haller
Ralph A. Haller

Chief, Private Radio Bureau

Enclosures:

Notice

Order

Discussion paper

cc:

Chief, PRBureau

Chief, LM&M Divison

Docket Files, Room 222

P&P Branch File (Pink)

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LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
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TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	John Kasich	BC

CONSTITUENT'S NAME	SUBJECT
Donald E Swinehart	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRB/kmm 5-10-93	OSP		

DATE	DATE	DATE	DATE
02/08/93			

REMARKS:

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JOHN R. KASICH
12TH DISTRICT, OHIO

MEMBER

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PRB
92-235
440

Congress of the United States
House of Representatives
Washington, DC 20515-3512

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COLUMBUS, OH 43215
(614) 489-7318

February 3, 1993

Ms. Lou Sizemore
Office of Leg. Affairs
FCC
1919 M St., N.W.
Washington, D.C. 20554

Dear Ms. Sizemore:

Enclosed is a letter that a constituent of mine has asked that I forward to you concerning PR Docket 92-235. He is worried about

BC/DT/MMC

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145621

CRESTWOOD ONTARIO LODGE
2124 PARK AVE WEST, APT 209
MANSFIELD, OHIO 44906
JANUARY 27, 93

THE HONORABLE JOHN KASICH
1133 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515

DEAR MR. KASICH,

I AM RETIRED FROM THE CLEVELAND AIR TRAFFIC CONTROL CENTER AT OBERLIN, OHIO. I HAVE BEEN A MODEL AIRCRAFT BUILDER AND FLYER AS LONG AS I CAN REMEMBER. I FLEW MY FIRST RADIO CONTROLLED MODEL AIRPLANE IN THE SUMMER OF 1951. THAT WAS VERY EARLY IN THE GAME.

I AM VERY CONCERNED ABOUT PROPOSED RULES THAT ARE CURRENTLY UNDER CONSIDERATION BY THE FEDERAL COMMUNICATIONS COMMISSION (FCC). THE PROCEEDING IS PR DOCKET 92-235. IF ADOPTED, THE NEW RULES WILL GREATLY REDUCE THE USABILITY OF FREQUENCIES CURRENTLY ASSIGNED FOR MODEL USE AND INCREASE THE RISK OF ACCIDENTS AND ATTENDANT LIABILITY FOR CONTROLLING MODEL AIRPLANES.

OUR RADIO CONTROL FREQUENCIES ARE IN THE 72-76 MHZ BAND. THIS BAND IS PRIMARILY USED FOR PRIVATE LAND MOBILE DISPATCH OPERATIONS. HOWEVER OUR RADIO CONTROL FREQUENCIES IN THIS BAND ARE FAR ENOUGH APART FROM THE LAND MOBILE FREQUENCIES THAT WE HAVE BEEN ABLE TO SHARE THE BAND WITHOUT

WHEN WE FLY OUR MODEL AIRPLANES UNDER RADIO CONTROL, WE
GO TO GREAT LENGTHS TO ASSURE THE SAFETY OF THE OPERATORS AND

